Mark P. Robinson, Jr., SBN 054426 1 Carlos A. Prietto, III, SBN 166410 Ted B. Wacker, SBN 157416 ROBINSON, CALCAGNIE & ROBINSON 620 Newport Center Drive, 7th Floor 2 3 Newport Beach, CA 92660 949-720-1288 4 949-720-1292 Fax 5 Attorneys for Plaintiff **CORINE BUSH** 6 7 8 9 10 UNITED STATES DISTRICT COURT 11 NORTHERN DISTRICT OF CALIFORNIA 12 13 IN RE: BEXTRA AND Case No. M 05-CV-1699-CRB CELEBREX MARKETING. 14 SALES PRACTICES AND MDL No. 1699 PRODUCTS LIABILIT LITIGATION 15 JUDGE BREYER 16 STIPULATION AND ORDER OF This document relates to: DISMISSAL ONLY AS TO CASE 17 NUMBER 05-6375 PA, ORIGINALLY **CORINE BUSH** FILED IN THE CENTRAL 18 Individual Case No. C 06-0236 CRB DISTRICT OF CALIFORNIA 19 20 IT IS HEREBY STIPULATED AND AGREED by and between counsel for 21 Plaintiff and counsel for Defendants that the Complaint of Plaintiff, Corine Bush, 22 originally filed in the Central District of California, Case Number CV 05-6375 PA, 23 and later transferred to the MDL No. 1699, In Re: Bextra and Celebrex, Marketing, 24 Sales Practices and Products Liability Litigation, with the assigned individual case 25 number C 06-0236 CRB, may be and is hereby dismissed without prejudice. 26 27 28

STIPULATION AND ORDER OF DISMISSAL

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The parties hereby stipulate that should Plaintiff ever re-file Plaintiff's claim, 1 2 Plaintiff will only re-file in Federal Court. The parties shall each bear their own costs. 3 4 5 Dated: September 8, 2006 ROBINSON, CALCAGNIE & ROBINSON 6 7 Mark P. Robinson, Jr., SBN054426 mrobinson@rcrlaw.net Carlos A. Prietto, III, SBN 166410 8 cprietto@rcrlaw.net Ted B. Wacker, SBN 157416 9 twacker@rcrlaw.net 620 Newport Center Drive, 7th Floor 10 Newport Beach, CA 92660 Telephone: (949) 720-1288 11 Fax: (949) 720-1292 12 -AND-13 Samuel M. Wendt, MO #53573 David Peterson, MO #32229 PETERSON & ASSOCIATES, P.C. 801 West 47th Street, Suite 107 14 15 Kansas City, MO 64112-1253 16 Telephone: (816) 531-4440 Fax: (816) 531-0660 17 Counsel for Plaintiff 18 CORINE BUSH 19 Dated: September 12, 2006 20 **GORDON & REES** 21 22 uart M. Gordon, Esq. 23 ordon@gordonrees.com Imbarcadero Center West 275 Battery Street, 20th Floor 24 San Francisco, CA 94111 25 Telephone: (415) 986-5900 Fax: (415) 986-8054 26 Defendants' Liaison Counsel 27 28

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 13, 2006

